

From: Robert Gibson
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/2/02 2:54pm
Subject: Microsoft Settlement.

The settlement has drawn on too long and is destabilizing to an industry that is already suffering economic hardship due in part to this intervention into the industry by the government. The arduous delays and inability to find a remedy makes it painfully clear that the government is way out of it's depth and doesn't really know what it is doing. Justice cannot possibly "be seen to be done" when the government resorts to asking for a remedy from direct competitors of Microsoft, where competitors indulge in spending Microsoft's money only to expanding there own market space. Such a precedent would permit a judge to fine a Pastor for speeding by ordering him to by beer for all at the local saloon. If a crime has been committed against the state then the state should receive compensation and like everyone else Microsoft's competitors must seek there own damages in a civil court themselves. Any attempt to do otherwise breaks the most fundamental tenants of the judicial system.

But isn't it true that one of Microsoft competitors, one instituted by the government, cannot seek such damages as they first set the precedent of giving software away for free to gain a clear monopoly 90% of the browser market and when Microsoft responded with similar tactics, the government then, declared these same tactics illegal.

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